

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANTHONY CARBAJAL,

Petitioner,

v.

No. 22-cv-349-MV-SCY

UNITED STATES OF AMERICA,
DAVID BREWER

Respondents.

ORDER

This matter is before the Court on Anthony Carbajal’s Motion to Transfer, filed May 8, 2023. (Doc. 14) (the “Motion”). In a Memorandum Opinion and Order entered August 29, 2022, the Court transferred this matter to the United States District Court for the Eastern District of California, where Mr. Carbajal was in custody at the time. (Doc. 7). In his motion, Mr. Carbajal advises that he has since been transferred to the Terre Haute Division of the Southern District of Illinois. Doc. 14 at 1. Accordingly, he asks that his case be transferred to the Southern District of Illinois rather than the Eastern District of California. *Id.* The United States District Court for the District of New Mexico, however, already transferred this case to the Eastern District of California before receiving Mr. Carbajal’s most recent motion. Thus, the Eastern District of California maintains jurisdiction over his lawsuit and Mr. Carbajal’s motion to transfer should accordingly be directed to the Eastern District of California. That is, to the extent Carbajal wishes to transfer the case to another district, he should seek relief from the district court in which the case is pending.

Alternatively, to the extent Carbajal would seek relief from the current district of

confinement, which, according to the Motion, is the Terre Haute Division of the Southern District of Illinois, he should direct his correspondence there. See 28 U.S.C. § 94(b)(2).

For Carbajal's reference, the address of the Terre Haute Courthouse is:

United States District Court
921 Ohio Street
Terre Haute, Indiana 47807

Carbajal is advised that further relief is not available from this Court.

IT IS THEREFORE ORDERED that the Motion (**Doc. 14**) is **DENIED**.


UNITED STATES MAGISTRATE JUDGE